

FILED

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2013 DEC 19 PM 3:05  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY \_\_\_\_\_

Attorneys for Plaintiff EMMANUEL BRACY

8  
9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 EMMANUEL BRACY, an  
12 individual,

13 Plaintiff,

14 vs.

15 CITY OF LOS ANGELES;  
16 DETECTIVE CARL WORRELL;  
17 DETECTIVE DONALD  
18 WALTHERS; DETECTIVE  
19 RICHARD GUZMAN; DETECTIVE  
20 RANDY RICO; and DOES 1 through  
21 10, inclusive,

22 Defendants.  
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CASE NO. **CV13-09350-JC**

**COMPLAINT FOR DAMAGES**

1. **Violations of Civil Rights (42  
U.S.C. § 1983)**

**DEMAND FOR JURY TRIAL**

**JURISDICTION AND VENUE**

1  
2 1. Jurisdiction is vested in this court under 28 U.S.C. § 1343(3)-(4) for  
3 violations of the 1871 Civil Rights Enforcement Act, as amended, including 42  
4 U.S.C. § 1983 and 28 U.S.C. §§ 1331 and 1367(a).

5 2. Venue is proper in the Central District of California under 28 U.S.C.  
6 § 1391(a)-(b).

**PARTIES**

7  
8 3. At all relevant times mentioned herein, Plaintiff EMMANUEL  
9 BRACY (hereinafter sometimes referred to as "Plaintiff" or "MR. BRACY") was a  
10 resident of the County of Los Angeles, State of California.

11 4. Defendant CITY OF LOS ANGELES (hereinafter "CITY")  
12 is, and at all relevant times mentioned herein was, a municipal entity or political  
13 subdivision of the United States, organized and existing under the laws of the  
14 State of California.

15 5. Plaintiff is informed and believes, and thereon alleges, that Defendant  
16 DETECTIVE CARL WORRELL (hereinafter "DETECTIVE WORRELL") is, and  
17 at all relevant times herein was, a resident of the County of Los Angeles and State  
18 of California. Further, at all times relevant to the acts and omissions herein  
19 alleged, Defendant DETECTIVE WORRELL was a detective employed by the  
20 Defendant CITY and the Los Angeles Police Department, and was acting under  
21 color of law and within the course and scope of his employment with the  
22 Defendant CITY and the Los Angeles Police Department.

23 6. Plaintiff is informed and believes, and thereon alleges, that Defendant  
24 DETECTIVE DONALD WALTHERS (hereinafter "DETECTIVE WALTHERS")  
25 is, and at all relevant times herein was, a resident of the County of Los Angeles  
26 and State of California. Further, at all times relevant to the acts and omissions  
27 herein alleged, Defendant DETECTIVE WALTHERS was a detective employed  
28 by the Defendant CITY and the Los Angeles Police Department, and was acting  
under color of law and within the course and scope of his employment with the  
Defendant CITY and the Los Angeles Police Department.

1           7. Plaintiff is informed and believes, and thereon alleges, that Defendant  
2 DETECTIVE RICHARD GUZMAN (hereinafter "DETECTIVE GUZMAN") is,  
3 and at all relevant times herein was, a resident of the County of Los Angeles and  
4 State of California. Further, at all times relevant to the acts and omissions herein  
5 alleged, Defendant DETECTIVE GUZMAN was a detective employed by the  
6 Defendant CITY and the Los Angeles Police Department, and was acting under  
7 color of law and within the course and scope of his employment with the  
8 Defendant CITY and the Los Angeles Police Department.

9           8. Plaintiff is informed and believes, and thereon alleges, that Defendant  
10 DETECTIVE RANDY RICO (hereinafter "DETECTIVE RICO") is, and at all  
11 relevant times herein was, a resident of the County of Los Angeles and State of  
12 California. Further, at all times relevant to the acts and omissions herein alleged,  
13 Defendant DETECTIVE RICO was a detective employed by the Defendant CITY  
14 and the Los Angeles Police Department, and was acting under color of law and  
15 within the course and scope of his employment with the Defendant CITY and the  
16 Los Angeles Police Department.

17           9. Plaintiff is informed and believes, and thereon alleges, that the  
18 heretofore unknown Defendant DOE Officers are, and at all relevant times  
19 mentioned herein were, residents of the County of Los Angeles and State of  
20 California. Further, at all times relevant to the acts and omissions herein alleged,  
21 said Defendant DOE Officers were police officers employed by the Defendant  
22 CITY and the Los Angeles Police Department, and were acting under color of law  
23 and within the course and scope of their employment with the Defendant CITY  
24 and the Los Angeles Police Department.

25           10. A comprehensive and timely Claim for Damages was presented to  
26 the City of Los Angeles in substantial compliance with Government Code § 910,  
27 et seq. Said Claim for Damages was denied by the City of Los Angeles on June 5,  
28 2011.

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1        11. On June 28, 2010, numerous criminal charges relating to the incidents  
2 and events hereinafter set forth were filed against Plaintiff. Certain of these  
3 criminal charges were pending before a superior court within the meaning of  
4 California Government Code § 945.3 until September 21, 2012, when Plaintiff was  
5 convicted of some of those charges.

6        12. Plaintiff is unaware of the true names and capacities of those  
7 Defendants named herein as DOE Defendants. Plaintiff will amend this  
8 Complaint to allege said Defendants' true names and capacities when that  
9 information becomes known to him. Plaintiff is informed, believes, and thereon  
10 alleges that these DOE Defendants are legally responsible and liable for the  
11 incident, injuries, and damages hereinafter set forth, and that each of said  
12 Defendants proximately caused the injuries and damages by reason of negligent,  
13 careless, deliberately indifferent, intentional, willful, or wanton misconduct,  
14 including the negligent, careless, deliberately indifferent, intentional, willful, or  
15 wanton misconduct in creating and otherwise causing the incidents, conditions,  
16 and circumstances hereinafter set forth, or by reason of direct or imputed  
17 negligence or vicarious fault or breach of duty arising out of the matters herein  
18 alleged. Plaintiff will seek leave to amend this Complaint to set forth said true  
19 names and identities of the unknown named DOE Defendants when they are  
20 ascertained.

21        13. Each of the individual Defendants sued herein is sued both in his  
22 individual and personal capacity, as well as in his official capacity.

23        14. Plaintiff is informed, believes, and thereon alleges that at all times  
24 herein mentioned, each of the Defendants was the agent and/or employee and/or  
25 co-conspirator of each of the remaining Defendants, and in doing the things  
26 hereinafter alleged, was acting within the scope of such agency, employment,  
27 and/or conspiracy and with the permission and consent of other co-Defendants.

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**FACTS COMMON TO ALL COUNTS**

15. This Complaint concerns an officer involved shooting which occurred during the morning hours of June 24, 2010, at or around the 12300 block of Osborne Street in the Pacoima area of the City of Los Angeles and County of Los Angeles. At approximately 11:30 a.m. on that date, Defendant DETECTIVES WORRELL, WALTHERS, GUZMAN, RICO, and other heretofore unknown Defendant DOE Officers, while acting under color of law and in the course and scope of their employment with the Defendant CITY and the Los Angeles Police Department, confronted Plaintiff as Plaintiff sat inside his vehicle. Without identifying themselves as police officers, Defendant DETECTIVES WORRELL, WALTHERS, GUZMAN, RICO, and the other Defendant DOE Officers yelled, "Put your hands up!" Plaintiff, believing that he was being robbed, complied with the command and raised his arms.

16. Without warning, Defendant DETECTIVES WORRELL, WALTHERS, GUZMAN, RICO, and the other heretofore unknown Defendant DOE Officers proceeded to assault and batter Plaintiff by acts which included, but were not limited to, repeatedly and unjustifiably discharging their department issued firearms at the person of Plaintiff, inflicting several gunshot wounds, including gunshot wounds to Plaintiff's back. At no time during the course of these events did Plaintiff pose any reasonable or credible threat of violence to the involved officers, nor did he do anything to justify the force used against him, and the same was deadly, excessive, unnecessary, and unlawful.

17. Both prior to and during the time in which he was shot, Plaintiff had his arms raised in the air, was not carrying a weapon anywhere on his person, and posed no reasonable or credible threat of violence to the Defendant Detectives and DOE Officers who shot him, nor to any other individual. Both prior to and during the time in which he was shot, Plaintiff made no aggressive movements, no furtive gestures, and no physical movements which would suggest to a reasonable police officer that he was armed with any kind of weapon, or had the will, or the ability to inflict substantial bodily harm against any individual. Both prior to and during the

1 time in which the Defendant Detectives and DOE Officers shot Plaintiff, the  
2 Defendant Detectives and DOE Officers, who fired, were not faced with any  
3 circumstances which would have led a reasonable police officer to believe that  
4 Plaintiff posed the risk of death or serious bodily injury to any person.

5 **FOR THE FIRST CAUSE OF ACTION**

6 **(By Plaintiff EMMANUEL BRACY Against Defendant DETECTIVE CARL**  
7 **WORRELL, Defendant DETECTIVE DONALD WALTHERS, Defendant**  
8 **DETECTIVE RICHARD GUZMAN, Defendant DETECTIVE RANDY**  
9 **RICO, and the Heretofore Unknown Defendant DOE Officers for Violations**  
10 **of Civil Rights [42 U.S.C. § 1983])**

11 18. Plaintiff restates and incorporates by reference the foregoing  
12 paragraphs of this Complaint as if set forth in full at this point.

13 19. This cause of action is set forth herein to redress the deprivation,  
14 under color of statute, ordinance, regulation, policy, custom, practice, and/or  
15 usage, of rights, privileges, and/or immunities secured to Plaintiff by the Fourth  
16 Amendment to the Constitution of the United States, including, but not limited to,  
17 the right to be free from unreasonable governmental seizures of his person.

18 20. Plaintiff is informed, believes, and thereupon alleges that at all times  
19 mentioned herein, the Defendant CITY employed the individual Defendants  
20 named herein, including Defendant DETECTIVES WORRELL, WALTHERS,  
21 GUZMAN, RICO, and the heretofore unknown Defendant DOE Officers. The  
22 Defendant CITY provided its individual Defendant employees and agents,  
23 including the Defendant Detectives and DOE Officers, with official badges and  
24 identification cards which designated and described the bearers as employees of  
25 the Defendant CITY and the Los Angeles Police Department.

26 21. Plaintiff is informed, believes, and thereon alleges that at all times  
27 relevant to the acts and omissions herein alleged, Defendant DETECTIVES  
28 WORRELL, WALTHERS, GUZMAN, RICO, and the heretofore unknown  
Defendant DOE Officers were employed by the Defendant CITY and the Los  
Angeles Police Department, and were acting under color of law and in the course



1 and scope of their employment with the Defendant CITY and the Los Angeles  
2 Police Department.

3 22. At approximately 11:30 a.m. on June 24, 2010, Defendant  
4 DETECTIVES WORRELL, WALTHERS, GUZMAN, RICO, and other heretofore  
5 unknown Defendant DOE Officers, while acting under color of law and in the  
6 course and scope of their employment with the Defendant CITY and the Los  
7 Angeles Police Department, confronted Plaintiff as Plaintiff sat inside his vehicle,  
8 which was parked at or around the 12300 block of Osborne Street in the Pacoima  
9 area of the City of Los Angeles and County of Los Angeles. Without identifying  
10 themselves as police officers, Defendant DETECTIVES WORRELL,  
11 WALTHERS, GUZMAN, RICO, and the other Defendant DOE Officers yelled,  
12 "Put your hands up!" Plaintiff, believing that he was being robbed, complied with  
13 the command and raised his arms.

14 23. Without warning, Defendant DETECTIVES WORRELL,  
15 WALTHERS, GUZMAN, RICO, and the other heretofore unknown Defendant  
16 DOE Officers proceeded to assault and batter Plaintiff by acts which included, but  
17 were not limited to, repeatedly and unjustifiably discharging their department  
18 issued firearms at the person of Plaintiff, inflicting several gunshot wounds,  
19 including gunshot wounds to Plaintiff's back. At no time during the course of  
20 these events did Plaintiff pose any reasonable or credible threat of violence to the  
21 involved officers, nor did he do anything to justify the force used against him, and  
22 the same was deadly, excessive, unnecessary, and unlawful.

23 24. Both prior to and during the time in which he was shot, Plaintiff had  
24 his arms raised in the air, was not carrying a weapon anywhere on his person, and  
25 posed no reasonable or credible threat of violence to the Defendant Detectives and  
26 DOE Officers who shot him, nor to any other individual. Both prior to and during  
27 the time in which he was shot, Plaintiff made no aggressive movements, no furtive  
28 gestures, and no physical movements which would suggest to a reasonable police  
officer that he was armed with any kind of weapon, or had the will, or the ability to

1 inflict substantial bodily harm against any individual. Both prior to and during the  
2 time in which the Defendant Detectives and DOE Officers shot Plaintiff, the  
3 Defendant Detectives and DOE Officers, who fired, were not faced with any  
4 circumstances which would have led a reasonable police officer to believe that  
5 Plaintiff posed the risk of death or serious bodily injury to any person.

6 25. At all times mentioned herein, Defendant DETECTIVES WORRELL,  
7 WALTHERS, GUZMAN, RICO, and the heretofore unknown Defendant DOE  
8 Officers acted under color and pretense of law, and under color of the statutes,  
9 ordinances, regulations, policies, practices, customs, and/or usages of the State of  
10 California and the Defendant CITY. The Defendant Detectives and DOE Officers  
11 deprived Plaintiff of the rights, privileges, and immunities secured to him by the  
12 Fourth Amendment to the Constitution of the United States and the laws of the  
13 United States, including, but not limited to, the right to be free from unreasonable  
14 governmental seizures of his person.

15 26. Plaintiff had the right to be free from unreasonable governmental  
16 seizures of his person, a right which was secured to Plaintiff by the provisions of  
17 the Fourth Amendment to the United States Constitution, and by 42 U.S.C. § 1983.  
18 All of these interests were implicated by the wrongful conduct of Defendant  
19 DETECTIVES WORRELL, WALTHERS, GUZMAN, RICO, and the heretofore  
20 unknown Defendant DOE Officers, which proximately caused severe injuries to  
21 Plaintiff, including, but not limited to, gunshot wounds to Plaintiff's person,  
22 including gunshot wounds to Plaintiff's back.

23 27. Plaintiff is informed and believes, and thereupon alleges, that in  
24 unreasonably seizing his person, as described in the foregoing paragraphs of this  
25 Complaint, Defendant DETECTIVES WORRELL, WALTHERS, GUZMAN,  
26 RICO, and the heretofore unknown Defendant DOE Officers acted outside the  
27 scope of their jurisdiction and without authorization of law, and acted willfully,  
28 maliciously, knowingly, with reckless disregard and callous indifference to the  
known consequences of their acts and omissions, and purposefully with the intent



1 to deprive Plaintiff of his federally protected rights and privileges, and did in fact  
2 violate the aforementioned rights and privileges, thereby warranting punitive and  
3 exemplary damages against Defendant DETECTIVES WORRELL, WALTHERS,  
4 GUZMAN, RICO, and the Defendant DOE Officers in an amount to be proven at  
5 the trial of this matter.

6 28. As a direct and proximate result of the wrongful, intentional, and  
7 malicious acts and omissions of Defendant DETECTIVES WORRELL,  
8 WALTHERS, GUZMAN, RICO, and the heretofore unknown Defendant DOE  
9 Officers, Plaintiff was placed in great fear for his life and physical well being, and  
10 has suffered and continues to suffer extreme and severe mental anguish, as well as  
11 great mental and physical pain and injury, all to his damage in a sum to be  
12 determined at trial. As a further direct and proximate result of the wrongful,  
13 intentional, and malicious acts and omissions of the Defendant Detectives and  
14 DOE Officers, Plaintiff was shot on June 24, 2010, and suffered severe injuries  
15 which include, but are not limited to, gunshot wounds to his person, including  
16 gunshot wounds to his back. As a further proximate result of the Defendant  
17 Detectives' and DOE Officers' wrongful, intentional, and malicious acts and  
18 omissions, Plaintiff has been required to employ, and did in fact employ,  
19 physicians and surgeons to examine, treat, and care for him, and has incurred and  
20 continues to incur expenses for emergent medical services and medical treatment  
21 and care in an amount according to proof at trial.

22 30. Plaintiff is entitled to and hereby demands costs, attorneys' fees, and  
23 expenses pursuant to 42 U.S.C. § 1988.

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1. For general damages in an amount according to proof at trial;
2. For medical and related expenses according to proof at trial;
3. For costs of suit incurred herein;
4. For attorneys' fees incurred herein, as provided by law;
5. For punitive damages against the individual Defendants in their individual capacities in an amount according to proof at trial; and
6. For such other and further relief as the Court deems just and proper.

Plaintiff hereby demands that a jury be empaneled for the trial of this matter.

Respectfully submitted,

By:

BRIAN T. DUNN  
JAMON R. HICKS  
MEGAN R. GYONGYOS  
Attorneys for Plaintiff EMMANUEL  
BRACY

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**I (a) PLAINTIFFS** (Check box if you are representing yourself ☐)

EMMANUEL BRACY, an individual

**DEFENDANTS**

CITY OF LOS ANGELES; DETECTIVE CARL WORRELL; DETECTIVE DONALD WALTHERS; DETECTIVE RICHARD GUZMAN; DETECTIVE RANDY RICO; and DOES 1 through 10, inclusive

**(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)**

BRIAN T. DUNN, ESQ. (SBN 176502)  
 JAMON R. HICKS, ESQ. (SBN 232747)  
 THE COCHRAN FIRM CALIFORNIA  
 4929 Wilshire Boulevard, Suite 1010  
 Los Angeles, California 90010  
 Telephone: (323) 435-8205

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only**  
 (Place an X in one box for plaintiff and one for defendant.)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. ORIGIN** (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

**CLASS ACTION** under F.R.C.P. 23: ☐ Yes ☒ No

☐ **MONEY DEMANDED IN COMPLAINT: \$** \_\_\_\_\_

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

42 U.S.C. Section 1983. Action for violations of civil rights arising out of officer involved shooting incident.

**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS PERSONAL INJURY	TORTS PERSONAL PROPERTY	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 530 General	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<b>BANKRUPTCY</b>	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<b>FORFEITURE/PENALTY</b>	<b>PROPERTY RIGHTS</b>
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 630 Liquor Laws	<b>SOCIAL SECURITY</b>
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	<b>REAL PROPERTY</b>	<b>IMMIGRATION</b>	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 862 Black Lung (923) (405(g))
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 462 Naturalization Application	<input checked="" type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee		<input type="checkbox"/> 690 Other	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 465 Other Immigration Actions			<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land				<b>FEDERAL TAX SUITS</b>
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 871 IRS - Third Party 26 USC 7609

**CV13-09350**

FOR OFFICE USE ONLY: Case Number: \_\_\_\_\_

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEETVIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply)
- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
County of Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
County of Los Angeles	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
County of Los Angeles	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER):

BRIAN T. DUNN

Date December 17, 2013

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))